



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 18, 2008

By Facsimile

Honorable Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: United States v. Ruben Rodriguez,
07 Cr. 1188 (RMB)

Dear Judge Berman:

The defendant in the above-referenced case was arraigned before Magistrate Judge Ronald L. Ellis on an Information on or about December 17, 2007. At this time, the parties are attempting to work out a disposition of the case. However, the Government respectfully requests that a pre-trial conference be scheduled for the week of January 28, 2008, so that a discovery and motion schedule may be set in case the parties are unable to work out a disposition.

The Government also respectfully requests that the Court exclude the time under the Speedy Trial Act until the date of the conference, because the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendants in a speedy trial. See 18 U.S.C. § 3161(h)(8). During this period, the parties will continue to discuss a possible disposition of the case, the Government will make discovery available to defense counsel, and the Government will prepare to make copies of the discovery for the defendant.

Conference is scheduled
for 1-31-08 at 9:30am. Respectfully submitted,
Time is excluded pursuant MICHAEL J. GARCIA
to the Speedy Trial Act United States Attorney
for the reasons set By: Parvin Moyne
forth in this letter. Assistant United States Attorney
Telephone: (212) 637-2510

cc: Bobbi Sternheim, Esq. (by facsimile)

SO ORDERED:

Date: 1-23-08

Richard M. Berman
Richard M. Berman, U.S.D.J.

USDC SDNY
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